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Attorneys for Defendants
CITY OF MODESTO AND JON EVERS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FRANK CARSON,

Plaintiff,

v.

COUNTY OF STANISLAUS, CITY OF
MODESTO, CITY OF CERES, BIRGIT
FLADAGER, MARLISSA FERREIRA,
DAVID HARRIS, KIRK BUNCH,
STEVE JACOBSON, JON EVERS,
CORY BROWN, and DEREK PERRY,
and DOES 1-25, inclusive,

Defendants.

Case No. 1:20-cv-00747-TLN

**JOINT STIPULATION AND [PROPOSED]
ORDER TO CONTINUE DEADLINE TO
RESPOND TO COMPLAINT**

Hon. Troy L. Nunley

Trial: None Set

GEORGIA DEFILIPPO AND
CHRISTINA DEFILIPPO,

Plaintiffs,

v.

COUNTY OF STANISLAUS, ET AL.

Defendants

Case No. 1:18-cv-00496-TLN-BAM

1 EDUARDO QUINTANAR, JR.,

2 Plaintiffs,

3 v.

4 COUNTY OF STANISLAUS, ET AL.

5 Defendants.

Case No. 1:18-cv-01403-TLN-BAM

7
8 BALJIT ATHWAL and DALJIT
9 ATWAL,

10 Plaintiffs,

11 v.

12 COUNTY OF STANISLAUS; CITY
13 OF TURLOCK; CITY OF MODESTO;
14 CITY OF CERES; STANISLAUS
15 COUNTY OFFICE OF THE
16 DISTRICT ATTORNEY; KIRK
17 BUNCH; JON EVERS; TIMOTHY
18 REDD; DALE LINGERFELT; STEVE
19 JACOBSON; BIRGIT FLADAGER;
20 GALEN CARROLL;

21 Defendants.

Case No. 1:15-cv-00311-TLN-BAM

22
23 WALTER W. WELLS and SCOTT
24 MCFARLANE

25 Plaintiffs,

26 v.

27 COUNTY OF STANISLAUS, ET AL.

28 Defendants.

Case No. 1:20-cv-00770-TLN-BAM

29
30 Defendants COUNTY OF STANISLAUS; CITY OF MODESTO; CITY OF TURLOCK;
31 CITY OF CERES; STANISLAUS COUNTY OFFICE OF THE DISTRICT ATTORNEY;

BIRGIT FLADAGER; MARLISSA FERREIRA; DAVID HARRIS; KIRK BUNCH; STEVE JACOBSON; CORY BROWN; JON EVERS; TIMOTHY REDD; DALE LINGERFELT; GALEN CARROL; FROLIAN MARISCAL; LLOYD MCKINNON; GREG JONES; KENNETH BARRINGER; GALEN CARROLL; FRANK NAVARRO; and TIMOTHY REDD (“Defendants”) and Plaintiffs ESTATE OF FRANK CARSON; GEORGIA DEFILIPPO; CHRISTINA DEFILIPPO; EDUARDO QUINTANAR, JR.; BALJIT ATHWAL; DALJIT ATHWAL; WALTER WELLS; SCOTT MCFARLANE (“Plaintiffs”) through their respective counsel, hereby agree and stipulate as follows:

1. WHEREAS on September 29, 2021, the Honorable Judge Nunley dismissed plaintiffs’ complaints with leave to file an amended complaint within 30 days;
2. WHEREAS All parties agreed and the court ordered that the deadline for filing the amended complaints would be continued to November 18, 2021;
3. WHEREAS plaintiffs filed their amended complaints prior to the November 18, 2021
3. WHEREAS Defendants’ responsive pleading was scheduled to be filed no later than 30 days after service of the plaintiffs’ Amended Complaints, which was December 17, 2021.
4. All Defendants plan to file FRCP 12(b)(6) motions to dismiss.

The stipulated briefing schedule is as follows:

Defendants’ FRCP 12(b)(6) motions to dismiss	January 10, 2022
Plaintiffs’ Oppositions to Defendants’ FRCP 12(b)(6) motions to dismiss	March 11, 2022
Defendants’ Replies (if any)	April 11, 2022
Proposed hearing date	April 21, 2022 at 2 p.m.

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Respectfully submitted,

Dated: December 3, 2021

ALLEN, GLAESSNER,
HAZELWOOD & WERTH, LLP

By: /s/Patrick D. Moriarty
DALE L. ALLEN, JR.
PATRICK D. MORIARTY
JOHN B. ROBINSON
Attorneys for Defendants
CITY OF MODESTO AND JON EVERS

Dated: [Click here to enter a date.](#)

GWILLIAM, IVARY, CHIOSSO, CAVALLI &
BREWER

By: */s/Angelina M. Austin
J. Gary Gwilliam
Randall E. Strauss
Jayme L. Walker
Angelina M. Austin
Attorneys for Plaintiffs
ESTATE OF FRANK CARSON, GEORGIA
DEFILIPPO, CHRISTINA DEFILIPPO AND
EDUARDO QUINTANAR, JR.

Dated: December 3, 2021

MORRISON & FOERSTER LLP

By: */s/Arturo Gonzalez
Arturo Gonzalez
Attorney for Plaintiffs
BALJIT ATHWAL, DALJIT ATWAL,
WALTER WELLS AND SCOTT
MCFARLANE

Dated: December 3, 2021

PORTER SCOTT
A PROFESSIONAL CORPORATION

By: */s/John Whitefleet
John R. Whitefleet
Attorneys for Defendants
COUNTY OF STANISLAUS,
STANISLAUS COUNTY OFFICE OF THE
DISTRICT ATTORNEY, BIRGIT

FLADAGER, MARLISSA FERRIERA,
DAVID HARRIS, KIRK BUNCH, STEVE
JACOBSON, CORY BROWN, DALE
LINGERFELT, FROLIAN MARISCAL,
LLOYD MACKINNON, GREG JONES,
KENNETH BARRINGER

Dated: December 3, 2021

ARATA SWINGLE VAN EGMOND &
HEITLINGER

By: */s/Bradley J. Swingle
Bradley J. Swingle
Attorneys for Defendants
CITY OF TURLOCK, CITY OF CERES,
FRANK NAVARRO, AND TIMOTHY REDD

** Parties have consented to use of their electronic signature.*

ORDER

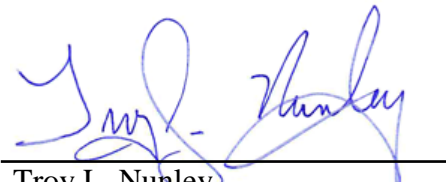
Pursuant to the stipulation of the parties:

The stipulated briefing schedule is as follows:

Defendants' FRCP 12(b)(6) motions to dismiss	January 10, 2022
Plaintiffs' Oppositions to Defendants' FRCP 12(b)(6) motions to dismiss	March 11, 2022
Defendants' Replies (if any)	April 11, 2022
Hearing Date	April 21, 2022 at 2 p.m.

IT IS SO ORDERED.

Dated: December 8, 2021


Troy L. Nunley
United States District Judge